

ATTORNEY DOCKET NO.: 2006636-0026
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	ALVAREZ, Vernon, <i>et al.</i>	Examiner: NIEBAUER, Ronald T
Serial No:	10/516,079	Group Art Unit: 1654
Filing Date:	November 2, 2005	Confirmation No.: 2000
Corresp. to:	PCT/US03/17410	
Int. Filing Date:	June 2, 2003	
Title:	COMBINATION CHEMOTHERAPY WITH CHLOROTOXIN	

VIA EFS WEB FILING – WWW.USPTO.GOV

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

In response to the Election/Restriction Requirement mailed August 17, 2007, entry and consideration of the following remarks are requested. The deadline for responding to the Election/Restriction Requirement without fees is September 17, 2007. A one (1) month extension of time from September 17, 2007, up to and including October 17, 2007, is hereby respectfully requested, and the extension fee of \$60 for a small entity under 37 C.F.R. § 1.17(a) is being paid via electronic credit card authorization. Applicant submits that the present Response is timely submitted on October 17, 2007.

Applicant understands the Office communication to set forth an Election Requirement of the chlorotoxin derivative. Thus, Applicant respectfully elects SEQ ID NO 1 as the species of chlorotoxin derivative. Claims 1-6, 9-12, and 14-17 read on the elected species, SEQ ID NO 1.

Applicant understands the Office communication to set forth also an Election Requirement of the chemotherapeutic agent. Applicant elects temozolomide as the species of chemotherapeutic agent. Please note that Applicant is concurrently filing a preliminary Amendment to correct an inadvertent typographical error in the spelling of

“temozolomide” in claims 6 and 11. Claims 6 and 11 read on the elected species, temozolomide.

Applicant reserves the right to pursue claims to non-elected species upon allowance of a generic claim.

Please charge any necessary fees or credit any overpayments to our Deposit Account No. 03-1721.

Respectfully submitted,

Dated October 17, 2007

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